

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:08CV126-03-MU

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|---------------------------|---|-------------------------|
| DUDLEY LEVON SKIPPER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>O R D E R</u> |
| |) | |
| RAYMOND HAMRICK, et. al., |) | |
| |) | |
| Defendants. |) | |
| |) | |

THIS MATTER is before the Court on Plaintiff's Motion for Appointment of Counsel and for Reconsideration of the Court's Order dismissing his case (Document No. 8.) By the instant motion, Plaintiff asks this Court to reconsider the Order dismissing his Complaint for failure to state a claim for relief.

After conducting an initial review of Plaintiff's Complaint, this Court concluded that Petitioner had not stated a claim pursuant to § 1983 and dismissed his Petition (Document No. 4.) By the instant motion, filed on April 22, 2008, Plaintiff moves asks this Court to reconsider its previous Order and simply rehashes the same litany of complaints regarding his living conditions that he stated in his original Complaint. This Court declines to consider Plaintiff's motion as the basis for this Court's dismissal still stands and Plaintiff has not asserted any new claims that would alter the analysis of that Order. Therefore, Plaintiff's Motion for Reconsideration is denied and his Motion for the Appointment of Counsel is denied as moot.

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration (Document No. 8) is **DENIED** and his Motion for the Appointment of Counsel, (Doc. No. 8), is denied as moot..

SO ORDERED.

Signed: May 2, 2008



Graham C. Mullen
United States District Judge

